

Message Text

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ACTION L-03

INFO OCT-01 EUR-12 NEA-10 ISO-00 DHA-02 IO-13 SCA-01
JUSE-00 PPT-01 CIAE-00 DODE-00 INR-07 NSAE-00
PA-01 USIA-06 PRS-01 SP-02 SS-15 NSC-05 /080 W
-----090188 050516Z /15

R 041326Z AUG 77
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 7589
INFO AMEMBASSY BONN
AMEMBASSY PARIS
AMEMBASSY LONDON
AMCONSUL JERUSALEM

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E.O. 11652: N/A
TAGS: PDIP, IS
SUBJECT: KNESSET CONSIDERS FOREIGN OFFENSES BILL

REF: TEL AVIV 5423

1. THE KNESSET HAS COMPLETED THE FIRST STAGE OF ITS
CONSIDERATION OF A BILL WHICH WOULD AUTHORIZE ISRAELI
COURTS TO TRY CITIZENS OR RESIDENTS OF ISRAEL FOR
CRIMES COMMITTED ABROAD INSTEAD OF EXTRADITING THEM.
THE LEGISLATION WOULD ALSO AUTHORIZE THE MINISTRY OF
JUSTICE TO ORDER PERSONS WHO HAVE BEEN CONVICTED ABROAD
BUT WHO HAVE NOT SERVED THEIR SENTENCES TO SERVE THEM
IN AN ISRAELI PRISON. THE BILL PASSED ITS FIRST READING
IN THE KNESSET AUGUST 1 BY A VOTE OF 41 TO 36 AND HAS
BEEN REFERRED TO COMMITTEE. EXPECTATIONS AMONG KNESSET
MEMBERS ARE THAT THE GOVERNMENT WILL RECONVENE THE
KNESSET IN EXTRAORDINARY SESSION DURING ITS CURRENT
RECESS IN ORDER TO COMPLETE ACTION ON THE BILL. (THE
KNESSET GOES INTO RECESS AT THE END OF THIS
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WEEK UNTIL OCTOBER 10.)

2. IN PRESENTING THE BILL FOR THE GOVERNMENT,
DEPUTY MINISTER YORAM ARIDOR NOTED THAT THE
PRINCIPLES OF THE PROPOSED LEGISLATION ARE
ACCEPTED IN 95 PERCENT OF THE WORLD' EXTRADITION
TREATIES. HE COMMENTED THAT ONLY THE U.S.,

CANADA AND BRITAIN EXTRADITE THEIR CITIZENS WITHOUT SERIOUS RESERVATIONS.

3. WE HAVE UNOFFICIALLY INQUIRED AT THE FOREIGN MINISTRY ABOUT THE EFFECT OF THIS LEGISLATION ON CURRENT EXTRADITION TREATIES AND WERE TOLD THAT THE CHIEF EFFECT OF THE LAW WOULD BE IN THOSE COUNTRIES WHICH DO NOT HAVE EXTRADITION TREATIES WITH ISRAEL. WHERE THERE ARE CURRENT EXTRADITION TREATIES, THE LEGISLATION, IF PASSED, WILL REQUIRE THAT CERTAIN CLAUSES OF THOSE TREATIES BE RENEGOTIATED. ASKED WHAT WOULD HAPPEN IF A COUNTRY DECLINED TO RENEGOTIATE ITS EXTRADITION TREATIES WITH ISRAEL, A FOREIGN MINISTRY OFFICIAL TOLD US THAT THE KNESSET DOES NOT HAVE AUTHORITY TO PASS LEGISLATION WHICH TAKES PRECEDENCE OVER TREATIES. WE HAVE REQUESTED A COPY OF THE BILL FROM THE KNESSET SECRETARIAT AND WILL POUCH IT SHOULD THE DEPARTMENT WISH TO EXAMINE.

4. COMMENT: THE BILL APPEARS ALMOST TAILORED TO THE CASE OF MK SAMUEL FLATTO-SHARON WHOSE EXTRADITION HAS BEEN REQUESTED BY FRANCE. HOWEVER, IT WOULD BE A MISTAKE TO VIEW THE PROPOSAL AS MERELY AN EFFORT TO ASSIST FLATTO-SHARON OR AS SIMPLY A REFLECTION OF WIDESPREAD SYMPATHY FOR LIMITED OFFICIAL USE

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HIS PLIGHT. ARIDOR MADE NO REFERENCE TO FLATTO-SHARON IN PRESENTING THE BILL AND BEGIN HAD SUPPORTED SUCH LEGISLATION IN THE LAST KNESSET-- BEFORE FLATTO-SHARON BECAME A CELEBRITY. FORMER JUSTICE MINISTER HAIM ZADOK (ALIGNMENT MK) HAS SPOKEN IN SUPPORT OF SUCH LEGISLATION. NONETHELESS, THE BILL IS SEEN AS POPULAR IN LARGE MEASURE BECAUSE OF SYMPATHY FOR FLATTO-SHARON, WHICH IN TURN RELATES TO THE STRONG REACTION HERE TO THE RELEASE BY FRANCE LAST JANUARY OF ABU DAOUD, THE ALLEGED MASTERMIND OF THE MURDER OF ISRAELI ATHLETES AT MUNICH. MOREOVER, THOUGH NOT A MEMBER OF THE COALITION, FLATTO-SHARON CAN BE COUNTED ON TO VOTE WITH THE GOVERNMENT; AND WITH BEGIN'S NARROW KNESSET MAJORITY, EVERY VOTE COUNTS.

5. THE JERUSALEM POST AND HAARETZ, AMONG OTHERS, ARE CONCERNED OVER THE PROSPECT THAT THIS LEGISLATION WOULD TURN ISRAEL INTO A HAVEN FOR CRIMINALS WHO HAPPEN TO BE JEWISH. ISRAEL COULD BE PARTICULARLY SUSCEPTIBLE TO FILLING SUCH A DUBIOUS ROLE BECAUSE

LAW OF RETURN CONFERS AUTOMATIC CITIZENSHIP ON
VIRTUALLY ALL JEWISH IMMIGRANTS.
LEWIS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, LEGISLATIVE BILLS, TRIALS
Control Number: n/a
Copy: SINGLE
Sent Date: 04-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Legacy Key: link1977/newtext/t19770895/aaaadczz.tel
Line Count: 119
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Litigation History:
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SAS ID: 1705479
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Status: NATIVE
Subject: KNESSET CONSIDERS FOREIGN OFFENSES BILL
TAGS: PDIP, IS
To: STATE
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vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/d50e7061-c288-dd11-92da-001cc4696bcc
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